

ENVIRONMENTAL NEWS



Newsletter of the N.H. Department of Environmental Services

January/February 2002

Air and water protection key topics in 2002 legislative session

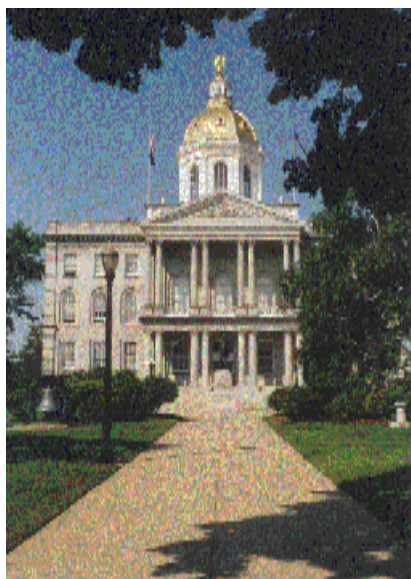
After a 2001 legislative session that saw the passage of environmental bills in such areas as dioxin reduction and funding for contaminated site cleanups, DES is again participating in another active session in 2002.

Carry-over legislation

A number of bills introduced in 2001 are still working their way through the legislative process and are high priorities in 2002. One of note is House Bill 284. DES has joined Governor Shaheen, many environmental organizations, and Public Service of New Hampshire, in support of this bill, the Clean Power Act, that will lead to reductions of four key air pollutants: carbon dioxide, sulfur dioxide, oxides of nitrogen, and mercury. Particularly because of its greenhouse gas implications, this bill is the focus of attention well beyond the State of New Hampshire. "Our state has always been a national leader in the environment," said Governor Shaheen in a press statement. "With this legislation, it would become the first state to legislate a reduction in emissions of carbon dioxide, considered one of the major causes of global warming."

Newly-introduced bills

In the 2002 Legislature, new environmental bills include HB 1102 and HB 1143, both designed to increase compliance with state hazardous waste requirements. The first would consider establishing a DES training and certification program for company employees who manage hazardous waste, while the second would study ways to improve compliance at companies that generate small amounts of hazardous waste. A further compliance-oriented bill, HB 1170, would extend the N.H. Environmental Audit Program, legislatively created in 1996 to help businesses in meeting regulatory requirements.



State again warns of water shortages in private wells

Lake, river, and groundwater levels continue to remain unusually low

The New Hampshire Drought Management Team is continuing to warn residents with wells to conserve their water to help prevent their wells from going dry.

Representing various state agencies and industry groups, the state's Drought Management Team recently met again to analyze data on precipitation, stream flow rates, lake and reservoir levels, soil moisture, and groundwater levels. Its data indicate that rainfall from September through December was only 50 to 70 percent of normal over most of the state, with the exception of the north country (Coos County) which had near normal rainfall. As a result, streamflows south of Coos County are only one-third to two-thirds of normal. Also, groundwater levels, as measured by the N.H. Geological Survey in a network of monitoring wells around the state, are below normal, with some wells reporting record low levels. Typically, groundwater levels do not increase during the winter months. With cold weather and frozen ground, there is little opportunity for the groundwater levels to recharge until spring.

"Fortunately, most public water suppliers, which generally use surface water reservoirs, are still not indicating major problems," said Harry Stewart, Water Division Director at the New Hampshire Department of Environmental Services, "and, now that we're in the winter,

United we stand

LEGISLATION

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Mike Galuszka (left) and Carl Woodbury, two DES emergency response staff, display a framed enlargement of a stamp recently issued by the U.S. Postal Service. The special "United We Stand" stamp was presented to them at a ceremony in the Governor's office honoring men and women across the state who have responded to emergency incidents since the terrorist attacks of September 11th. A number of police and fire department officials were feted. Mike and Carl are part of a specially trained DES unit that investigates hazardous related threats. Last fall, the unit responded to several anthrax hoax incidents, including two at post offices in the state. Congratulations to Mike and Carl, and to their entire response team. ■

Preventing pollution would be furthered through the passage of HB 1305, a bill that extends the highly successful New Hampshire Pollution Prevention Program. NHPPP is a non-regulatory program, administered by DES, that provides technical assistance to businesses, municipalities, and others to foster ways to eliminate or reduce pollution at the source. The bill would allow the program to continue through using state Hazardous Waste Cleanup Fund monies.

Three pieces of legislation specifically geared toward drinking water protection were featured at a Governor's press conference in December. One bill would strengthen state and local safeguards over large commercial groundwater withdrawals, while another would foster increased water conservation measures by water suppliers. The third would increase water suppliers' ability to react to natural and manmade threats to public water shortages. (For more on these three bills, see page 4.)

Other water protection legislation initiated by DES includes HB 1402, a

bill that would place the Isinglass River into the state's rivers management and protection program, HB 1172 exempting certain minimum impact activities from DES's wetlands permitting process, HB 1199 authorizing DES to certify septage haulers, and HB 1381 creating requirements for public bathing facilities.

Further bills, the result of a study bill passed in 2001 and supported by DES, have been crafted to enhance the implementation of the state's Shoreland Protection Act.

As the 2002 session progresses, these and other bills will receive considerable attention, and the involvement of New Hampshire's citizens will once again play a key role in adopting a variety of measures designed to protect our state's valuable resources.

For more information on environmental legislation, please visit DES's web site at www.des.state.nh.us. ■

DES radio announcements carry drinking water messages



DES has begun distributing a series of public service announcements (PSAs) to radio stations throughout the state. The first of six PSAs, which began to air in August, urged private well owners to have their water tested for health parameters. The second, distributed in December, carried the message that water supplied by public systems is a bargain in light of the extensive source protection, treatment, testing, and distribution services that public water suppliers provide. Other

PSAs are being developed for distribution in the spring of 2002. Themes include water conservation, watershed and groundwater protection, and the careful handling of substances such as gasoline.

Produced with a grant from the U.S. EPA, the PSAs are adaptable for use in other states. For more information, please contact Nicole Clegg, Paul Susca, or Bernie Lucey at (603) 271-3503. ■

ENVIRONMENTAL N E W S

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New DES initiative to limit school bus idling

by Barbara Fales, DES Air Resources Education/Outreach Planner

As we all know, tailpipe emissions from cars and trucks can pose serious air quality problems. This emissions problem is aggravated even more when vehicles idle for any length of time, and idling school buses in particular create a special health threat.

To address these concerns, DES, in partnership with the New Hampshire School Transportation Association (NHSTA), recently launched an initiative to protect school children and bus drivers from excessive exposure to exhaust emissions from school buses. As part of this initiative, fleet managers and school bus drivers are encouraged to implement policies and practices to reduce school bus engine idling time whenever possible.

As children line up to board an idling bus, they are exposed to the vehicle's emissions at the most concentrated levels. Limiting the amount of idling time not only reduces exposure of students to the harmful pollutants in diesel exhaust, but it also improves air quality in general.

EPA has classified certain constituents in diesel exhaust as probable human carcinogens. A recent study conducted by researchers from Yale University clearly shows that students' exposure to various concentrations of exhaust emissions increases dramatically while waiting to board and while riding on school buses. This study links the increased exposure directly to idling school buses.

"Numerous scientific studies indicate that long term exposure to diesel exhaust can also cause lung damage, respiratory problems such as asthma, and even premature death," said Michael Fitzgerald, Air Pollution



Maximum Idling Times

New Hampshire regulations establish limits on the amount of time that motor vehicles, including diesel-powered engines, are permitted to idle. Regulations are based on the following guidelines:

Outside temperature	Max. idle time
Above 32° F	5 minutes
-10° to 32° F	15 minutes
Below -10° F	No limit

Control Engineer at DES. "Health effects are more pronounced in the elderly, individuals with existing respiratory problems, or in children, who breathe at a faster rate than adults.

School bus drivers can make a significant impact on the health of their passengers and their own health by limiting engine idling whenever possible. Reducing idling also saves fuel, reduces engine wear and tear, and saves school bus companies and school districts thousands of dollars each year.

"Nationwide, emissions from diesel vehicles result in the yearly discharge of 40 million tons of air pollutants, or roughly 30 tons per vehicle," said Fitzgerald. "These pollutants contribute to ozone, smog, acid rain, regional haze and greenhouse gases."

The American Trucking Association estimates that engine wear caused by idling one hour every day is equivalent to driving 64,000 miles

per year. Idling reduces fuel economy and increases engine wear, requiring operators to invest more in maintenance and repair. Idling consumes one gallon of fuel per hour, and school buses idling 400 hours per year (about an hour per operating day) equates to an estimated cost of \$600 per year.

In an effort to reach out to fleet managers and school bus drivers, the NHSTA Board of Directors recently sent a letter to its members encouraging them to adopt a policy restricting idling time. The voluntary policy states that school bus drivers should not only abide by the state regulations (see sidebar), but also go beyond the regulations whenever possible, to minimize school bus idling. School transportation providers or fleet managers should be aware of the state regulations and implement policies to curb unnecessary idling of school vehicles. If a school district has a yearly contract with a school bus transportation company, the district can require that the company implement an anti-idling policy as part of the contract.

Working together with the NHSTA, DES hopes to protect school children from unnecessary exposure to harmful air pollutants and improve air quality. DES and NHSTA are planning numerous outreach activities to publicize this effort throughout the state. Individuals can help support this initiative by talking with students, parents and community groups about the dangers of breathing diesel exhaust. If you have questions about this initiative or would like additional information on programs and opportunities to reduce diesel exhaust emissions from buses and trucks, contact Mike Fitzgerald, DES Air Resources, at (603) 271-6390. ■

Governor proposes three bills to protect state's water

Will regulate large commercial groundwater withdrawals; Encourage regional cooperation and water conservation

Gov. Jeanne Shaheen proposed three bills to protect New Hampshire's water supplies. The legislation would give the state and local communities more power to regulate large commercial groundwater withdrawals, encourage regional cooperation on water supply issues, and encourage water conservation.

"It has been said that water is the oil of the 21st century. In communities around the country, as populations and businesses have grown, we've seen intense battles break out over water supplies. In New Hampshire, we are experiencing one of our worst droughts in 50 years. It should be abundantly clear that water is a precious resource — a resource that we must protect," Gov. Shaheen said.

"We in New Hampshire have long viewed water as a public resource, to be managed and protected in the best interests of the people of this state. Our future economy and quality of life depend on our state having access to clean, dependable water supplies. Unfortunately, there are some who see water simply as a commodity, to be bought and sold without regard to the consequences for New Hampshire's people and environment," Gov. Shaheen said.

Gov. Shaheen announced in August that she would propose legislation to increase protections for the state's water supplies, after concerns were raised about the state's ability to regulate the proposed USA Springs water bottling plant in Nottingham.

Until 1998, there were no restrictions in New Hampshire on large commercial groundwater withdrawals. Under the legislation Gov. Shaheen signed in 1998, DES must review any such proposal and issue a permit before companies can withdraw large amounts of groundwater. DES is reviewing the USA Springs proposal under that law.

Gov. Shaheen believes New Hampshire needs stronger laws to ensure that the state's long-term water needs are considered when reviewing large commercial groundwater withdrawal proposals and that communities should have the right to review and approve such projects.

Gov. Shaheen today proposed legislation that will increase the state's oversight over large commercial ground-



DES Asst. Commissioner Dana Bisbee joins Gov. Shaheen at a press conference supporting new public water supply legislation.

water withdrawals, provide clearer authority for cities and towns to regulate large commercial groundwater withdrawals, as well as provide more opportunities for local input into the state's permitting process for such withdrawals. Regulation of public water supply wells would remain solely the state's responsibility.

"This legislation will go a long way in alleviating the risk that our water resources will be exploited to the detriment of our citizens, our environment and our economy," Gov. Shaheen said. The bill will be sponsored by Sen. Caroline McCarley and Rep. George Musler.

The second bill, sponsored by Sen. Beverly Hollingworth, attempts to remove barriers to regional cooperation among water suppliers and creates incentives for water utilities to develop projects that have regional benefits. Currently, municipal water utilities are required to charge the same rate that they charge their local customers when they extend water lines to other communities, even though providing that water service may cost them more. The legislation will make water utilities eligible for state grants to extend or interconnect water systems, and allow them to recoup their expenses through water charges, subject to PUC approval. It also gives the state the authority to order water suppliers to connect other communities in an emergency, such as contamination of a water supply.

The final bill, sponsored by Sen. Katherine Wheeler, aims to increase water conservation in New Hampshire. A recent Department of Environmental Services survey of public water systems found that 83 percent of water systems have no — or limited — water conservation measures.

The legislation will create a comprehensive policy for water conservation in New Hampshire and require large water users, such as public drinking water systems and business and industry, to implement water conservation measures before the state approves any new water withdrawals.

As part of the state's water conservation initiative, the Public Utilities Commission will open a proceeding to consider ways to encourage regulated water supplies to promote water conservation. ■

“Getting Toxic Chemicals Out of New Hampshire’s Schools” the focus of DES workshop

Surprisingly, toxic chemicals are commonly found in school classrooms, science laboratories, and vocational shops, as well as in facility maintenance areas. Sometimes these chemicals and products are improperly handled, stored, and disposed, putting students and staff at potential risk. To help identify these hazards, DES recently hosted the workshop “Getting Toxic Chemicals Out of New Hampshire Schools.” Nearly 100 people attended, including teachers, school maintenance staff, school administrators, and local emergency response personnel.



This effort to educate public officials about toxic chemicals in schools follows a successful campaign in New Hampshire that resulted in legislation prohibiting the use of mercury and mercury compounds in K-12 classrooms. Mercury, however, can still be found in schools outside of the classroom—in fever thermometers, blood pressure cuffs, lighting, and electrical devices. For example, accidents and spills in schools throughout New Hampshire and the country have illustrated that the costs of a mercury spill can be significant, as well as causing anxiety and disruption in the classroom. There are suitable alternatives that make the continuing use of mercury and other toxic chemicals in schools an unnecessary risk to public health and the environment.

The one-day workshop offered valuable information on where to find toxic materials, how to properly manage them, who to contact for information, case studies, alternatives to toxic products, and emergency response procedures. Cosponsoring the workshop with DES was the U.S. Environmental Protection Agency, and the Northeast Waste Management Officials Association.

To learn more about getting toxic chemicals out of schools, please contact Sara Johnson at (603) 271-6460. ■

DROUGHT, *continued from page 1*

water usage is less than in the summer. However, earlier this year several communities found it necessary to institute water restrictions, and some are now looking at contingency plans should dry conditions continue. With this warning, we are hoping that people will voluntarily cut down on any unnecessary use of water to forestall potential water shortages later.” He noted that water conservation measures include repairing leaky faucets and toilets, as well as running dishwashers and clothes washers only with full loads.

Stewart underscored that people who have their own wells should exercise particular prudence. “Since Thanksgiving, we have received a number of calls from residents reporting that their wells have run dry. Once someone’s well water becomes depleted, it can take some time before the resource can become recharged. Wells can be deepened and other wells can be drilled to yield more water, but, currently, this may not be a short-term solution, as many well drillers in the state are reporting backlogs of several months.”

Another concern at DES is the low level in many of the 113 lakes where it owns and operates dams in the state. Many of these lakes are purposely drawn down to some degree in the fall and winter to reduce winter ice damage to shoreline structures and to reduce spring flooding. However, because of the current dry conditions and the low inflows to the lakes, the levels of many of the lakes are below the target drawdown levels. Lake Winnepesaukee, for example, is more than seven inches below its target drawdown level, which is normally reached in February. The current lake level at Lake Winnepesaukee is lower than it has been since 1964.

To slow the drop in lake levels, DES has reduced its water releases from the dams impounding the lakes. At Lake Winnepesaukee, for example, DES reduced the amount of water released downstream to 50 cubic feet per second (cfs) beginning the first of the year. “Though unfortunately this eliminates hydropower generation on the Winnepesaukee River,” said Stewart, “it reduces the decrease in the lake’s water level, thereby enhancing the prospect of refilling the lake by next spring and summer. It also maintains the water levels critical for maintaining the lake’s fish spawning beds. We will maintain this reduced rate through the winter until the lake level rises to within three inches of its normal winter drawdown level.”



On the Web at
www.des.state.nh.us

Coastal municipalities doing their share to fix illicit discharges

by Barbara McMillan, DES Watershed Assistance Program Outreach Coordinator

New Hampshire's coastal waters provide a resource with much to offer surrounding communities. Recreation, fishing, shellfish harvesting, and wildlife habitat, for example, are all dependent on the 18 miles of Atlantic Ocean coastline and the surrounding watershed. Many people don't realize that it is an ongoing struggle to keep these waters clean and healthy for everyone to enjoy to the fullest extent.

Although there has been much improvement over the past 30 years, bacteria contamination has continued to cause occasional shellfish bed closures. There are several different sources of bacteria, but contamination can sometimes be traced back to illicit discharges (see sidebar) within the sea-coast communities.

In 2000, DES received funding from the New Hampshire Estuaries Project (NHEP) to provide grants to coastal municipalities to eliminate illicit discharges. As part of this

agreement, DES issued \$18,000 in grants to Portsmouth, Dover, and Rochester. The grants in these three communities helped improve water quality in the coastal area by reducing bacteria inputs from a variety of urban sources.

In Portsmouth, with a grant of \$7,170 and a \$10,104 match from the city, a cross connection between the sewer and storm drain systems was removed and eight stormwater catch basins were disconnected from the sanitary sewer system. The City reported that the positive effects of this work were immediately observed during a heavy rainstorm in June — the area did not experience the sewer backups and overflows that had typically occurred in the past during heavy rains.

In Dover, matching a \$6,000 grant with \$18,890 of its own funding, the city removed five illicit discharges from commercial and residential buildings and located several other discharges by smoke testing. The smoke testing involved pumping smoke into the storm drain system and noting which houses emitted smoke out of their sewer vent pipes. (Smoke coming out of the sewer vent pipe is a sign that the sewage from that building is not going to the right place.)

Rochester provided \$5,133 to match a \$4,800 grant for the purpose of removing two illicit discharges into the city's storm drain system. One project identified a sewer line connecting a four-unit apartment building to a storm drain that emptied directly into the Cocheco River. The second project was a converted garage residence that used a former floor drain to discharge sewage. Wastewater flowed into a storm drain that emptied into

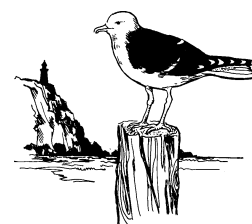
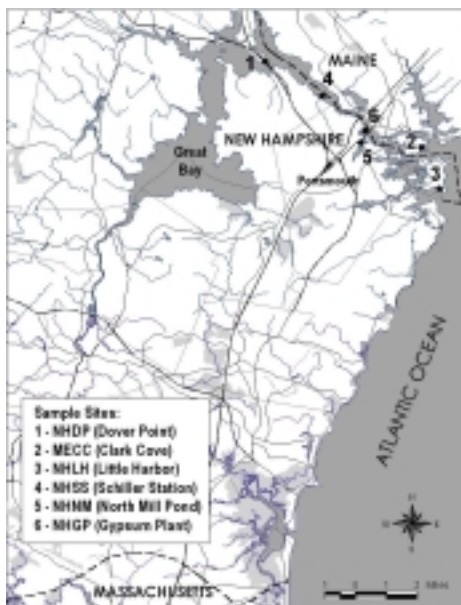
What is an Illicit Discharge?

An illicit discharge is any discharge into the storm drainage system not composed entirely of stormwater. Sources of illicit discharges include: a cross-connection between a sewer line and storm system; a sewage line from a house or business incorrectly connected to a storm system; improper disposal of auto or household toxics; and a laundry or car wash discharge flowing to a storm drain.

Willow Brook, a small tributary to the Cocheco River. The apartment building and the residence are now connected to the city sewer system.

The progress that these three coastal cities have made towards remediating their illicit discharges is very encouraging. The hard work and financial contributions of the three communities involved have made it possible to use the grant money to the fullest extent and make progress towards improving water quality problems in the coastal area.

In 2001-2002, a total of \$60,000 will be awarded to municipalities to continue this worthwhile effort toward improving the quality of New Hampshire's coastal waters. ■



OneStop's on-line GIS tool — A new interactive environmental mapping program at DES

by Chris Simmers, DES OneStop Program Manager

Are you looking to compile environmental information on New Hampshire businesses in a particular geographical area? Do you need information on a particular facility but need a map to help locate it? Are you planning to relocate to a particular area and want to know more about that area? If the answer to any of these or similar questions is yes, then you should check out the OneStop Web GIS tool recently developed by DES's Geographic Information System (GIS) Program with guidance from a team of staff from across the department.

The primary purpose of the OneStop Web GIS is to provide a map-based system for accessing the department's information on regulated facilities, as a complement to DES's existing OneStop Data Retrieval web page. More specifically, the original charge to the GIS Program and the team was "to provide department staff and the public with the ability to call up a map of any municipality in New Hampshire, click on a point and/or area in that municipality containing sites of interest to one or more department programs, and access all available information in the relevant program databases for the site(s) of interest."

Now, for any given facility, the information accessible with the OneStop Web GIS includes: stationary sources of air emissions; gas stations with vapor recovery systems; underground and above-ground storage tanks; hazardous waste activities; automobile salvage activities; site remediation activities; public water supply sources; and source water protection areas. The real strength of this GIS tool is the ability to sit at a computer, get on the Internet, and easily access this range of information for a particular facility or a particular area anywhere in New Hampshire.

In developing this system, we researched and reviewed similar systems maintained by other states and by EPA, and we believe we have designed and built the best system in its class. This is another milestone for the department in applying web-based technology (in this case cutting edge GIS technology) to make more environmental information more readily available to more people while maintaining confidence in the quality of the information. The site is available through the department's web page at www.des.state.nh.us. Contact George Hastings, GIS Coordinator at 271-3503 for more information. ■

Small electric generators to address nitrogen oxide emissions New DES air quality rules implement state legislation

by Kathy Brockett, DES Air Resources Outreach Coordinator

Reducing emissions of nitrogen oxides (NOx) has been a prime environmental focus in New Hampshire and elsewhere in recent years. DES Air Resources Division Director Ken Colburn noted, "NOx emissions are a significant health and environmental concern. NOx is the major cause of ozone smog, an oxidant and respiratory irritant, and it contributes to the formation of fine airborne soot, acid rain, diminished vistas, greenhouse gases, and even toxics."

New Hampshire has made significant progress in reducing NOx emissions at electric generating facilities. PSNH's largest coal-fired power plant, for example, has reduced its summer NOx emissions almost 90 percent since 1994. The state's progress has been hindered, however, by an increasing number of small electric generators that have not been regulated as stringently as large electric power plants. These generators, often installed by companies to produce their own electricity, are usually diesel-fueled internal combustion engines which emit 10 to 20 times as much NOx as New Hampshire's dirtiest coal-fired power plant on a kilowatt hour basis.

To achieve appropriate environmental equity between large and small electricity generators, state legislators passed a bill two years ago that requires owners of off-grid electricity generators to either reduce their NOx emissions or pay specified fees to a newly-created state NOx Emissions Reduction Fund. DES's Air Resources Division recently adopted rules, Env-A 3700, to implement the requirements in the bill. The new rules establish procedures for submitting NOx emission data and fees, and they set forth a procedure for determining how the emission reduction fund fees will be used. A schedule for phasing-in the requirements for existing off-grid generators is also incorporated into the rules.

The enabling legislation and the new rules are designed not to be overly burdensome on industry. They were developed through an extensive collaborative effort between legislators, state regulators, and affected businesses. "New Hampshire has implemented aggressive, cost-effective NOx control requirements on power plants over the past few years," said Colburn. "These new rules will enable smaller electricity generating sources to con-

NOx EMISSIONS, *continued on page 8*

Is your heating oil tank at risk for failure?

You may qualify for money to help repair or replace it

by Barbara McMillan, DES Watershed Assistance Program Outreach Coordinator

Is your heating oil tank looking a little tired? Have years of falling and melting snow and ice taken its toll on the tank and its fuel lines? While heating with fuel oil has proven to be safe, efficient and reliable, a heating oil supply tank and its supply lines can weaken from age, exposure to weather, corrosion, or poor installation or maintenance. Your backyard or basement heating oil tank is a potential source of oil contamination that can cause significant environmental damage, as well as the loss of nearby drinking water wells. And the cleanup costs to restore these wells can prove expensive.

There is a financial solution to this costly problem. To help prevent oil releases, DES created the "Safetank" program to assist residents with home heating oil tanks in need of repair or upgrades. To qualify, a homeowner must simply fill out an application supplied by DES and meet the financial criteria (depending on where you live, this could be a family of four earning up to \$50,200). Once DES reviews and approves the application, the work may be done. The program offers financial assistance in the form of a grant of up to \$1,000 for reimbursement of costs to upgrade existing heating oil tanks. This financial assistance is easy to receive and comes with no strings attached. During the past year, more than \$2 million was reimbursed to homeowners to assist in the cleanup of heating oil contaminated sites.

To determine if your heating oil tank needs an upgrade, contact your oil company, an independent heating contractor, or DES to complete the checklist on the application form. The grant will cover all parts from

the fill pipe to the furnace including lines, legs, pad, and the tank itself. Some typical upgrades that may be made with the funds include:

- Creating a four-inch reinforced concrete pad on which to place the tank.
- Removing all unprotected copper fuel lines from beneath the concrete floor.
- Relocating a tank to protect it from falling ice and snow.

Over 200 New Hampshire homeowners took advantage of this assistance last year and DES would like to help more tank owners this year. This preventive program has the potential to save an average oil spill cleanup cost of \$17,000 for every tank repair or replacement.

To see if you qualify for the Safetank program, to obtain an application, or to determine whether your heating oil tank is in need of repair or an upgrade, contact DES at (603)

271-3644. Further information may also be obtained at the DES website www.des.state.nh.us/orcb/astprog.htm. If you suspect that your oil tank or line is presently leaking, immediately call your local fire department and/or the Oil Response Section of DES at (603) 271-3544 or 3440. ■

NO_x EMISSIONS

continued from page 7

tribute to improved environmental quality in a cost-effective manner by allowing them to use the same market-based approaches that larger electric generators use."

For information on the new rules, contact Barbara Hoffman, Air Resources Division, at (603) 271-7874 or Joe Fontaine at (603) 271-6794. The rules can be found on the DES web site at www.des.state.nh.us/ard/prpsdrul.htm, or they can be obtained by calling (603) 271-2975. Additional information on power generation equipment is provided in DES fact sheet ARD-7, also found on the DES web site. ■



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